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APR 08 2004

Docket No.: 50179-086

OFFICE OF PETITIONS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Thomas Charles ELLEMAN, et al.	:	Confirmation Number: 9960
	:	
Application No.: 09/701,437	:	Group Art Unit: 1631
	:	
Filed: March 02, 2001	:	Examiner: Marianne P. Allen
	:	
For: METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR FAMILY		

PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-referenced patent application became unintentionally abandoned on March 23, 2004. A copy of the Notice of Abandonment is attached as Exhibit A. Abandonment occurred because Applicants' inadvertently did not include a Petition for an Extension of Time fee for the third month with the filing of a Notice of Appeal on March 22, 2004. A copy of the Notice of Appeal as filed along with the filing receipt card are attached to this petition as Exhibits B and C, respectively.

The entire delay in filing the Petition for Extension of Time on March 22, 2004 and from March 22, 2004 to the filing of this Petition was unintentional. As the abandonment was unintentional, Applicants respectfully petition for revival of the application, and authorize the

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WDC99897659-1.050179.0086

Application No. 09/701,437

required petition fee of \$1,330.00 to be charged to Deposit Account No. 500417. The Office file includes the Notice of Appeal. A petition for the third month extension of time is attached to this petition. The petition for extension of time combined with the Notice of Appeal filed on March 22, 2004 should provide a complete response to the Office Action which was due on March 22, 2004.

Revival of the application and acceptance of the third month extension of time fee and the Notice of Appeal is respectfully requested.

To the extent necessary, please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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